

11                    sufficiently energetically against the elastomer latex fluid to substantially  
12                    completely coagulate the elastomer latex with the particulate filler; and  
13            B)        discharging from the discharge end of the coagulum reactor a substantially  
14                    constant flow of elastomer masterbatch globules concurrently with feeding of the  
15                    fluid streams in accordance with steps A(i) and A(ii).

### **REMARKS**

This Amendment is in response to the Office Action mailed February 12, 1999. Claims 1 - 30 are pending in the application, other claims of the application having been cancelled pursuant to the Examiner's Restriction Requirement upon allowance of parent application Serial No. 08/625,163. Claims 29 and 30 have been allowed by the Examiner. Claims 1 - 4, 8 - 18 and 26 - 28 stand rejected under 35 U.S.C. § 103 over DE 1,063,364 translation. Claims 5 - 7 and 19 - 25 are objected to, with the Examiner indicating that they would be allowable if rewritten in independent form, including all of the limitations of the base claims. In view of the forgoing amendments and the following remarks, applicants request reconsideration of the rejection of the claims and allowance of the application.

#### **Examiner Interview**

Applicants wish to thank Examiner Cain for his courtesy and helpfulness during the interview held on March 25 with the undersigned and one of the coinventors, Bin Chung. A copy of the Interview Summary sheet is included with this paper as Attachment A. As noted there, **agreement was reached** with Examiner Cain, that the rejection over DE '364 would be

withdrawn in view of applicant's arguments and the proposed clarifying amendments to the rejected claims, specifically, applicants' proposed amendments to claim 1 (and corresponding amendments to the other rejected independent claim, claim 8) as shown in the Proposed Claim Amendments attached to this papers as Attachment B.

Applicants' proposed claim amendments render the claims more explicit with respect to the novel feature that the elastomer latex fluid and particulate filler fluids are fed to the mixing zone of the coagulum reactor sufficiently energetically to result in coagulated elastomer masterbatch. As discussed with Examiner Cain, this feature is not seen in DE '364, nor in any other art of record. The hand written changes shown in Attachment B were discussed during the Interview as rendering the claims even more explicit in this respect. More specifically, as amended claim 1 now calls out that the feeding of the particulate filler fluid against the elastomer latex fluid in the mixing zone of the coagulum reactor is sufficiently energetic to substantially completely coagulate the elastomer latex. That is, as amended, claim 1 now recites:

“...wherein feeding of the second fluid against the first fluid within the mixing zone is sufficiently energetic to substantially completely coagulate the elastomer latex with the particulate fuller prior to the discharge end;...”

Corresponding language also is added to independent claim 8. Again, Applicants are grateful to Examiner Cain for his courtesy, cooperation and helpfulness in the course of the Interview.

### Claim Amendments

As discussed above, both of the rejected independent claims, claim 1 and claim 8, have been amended to call out more explicitly that the feeding of the particulate filler fluid against the elastomer latex fluid in the mixing zone of the coagulum reactor is sufficiently energetic to substantially completely coagulate the elastomer latex. Thus, there is no longer any possible confusion in the claim language, that the impact of the particulate filler fluid against the elastomer latex fluid in the claimed method is sufficiently energetic to cause coagulation. This is consistent with the discussion in the specification of the present application, that substantially complete coagulation can be achieved by the present invention without the need of employing an acid or salt coagulation agent. Discussion of this point is found in the specification, for example, on page 8, lines 1 - 25.

### Conclusion

Claims 29 and 30 have previously been found allowable by the Examiner, and claims 1 - 28 are amended above (either directly or through their dependency from independent claims 1 or 8) in accordance with the agreement reached during the March 25 Examiner interview. Thus, all of the claims pending in the application are believed now to be in condition for allowance.

Accordingly, Applicants' respectfully request that all claims pending in the application be allowed, and that the application be passed to issue.

Respectfully submitted,  
Rumpf et al

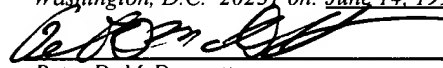


Peter D. McDermott  
Attorney for Applicants  
Reg. No. 29,411

**Banner & Witcoff, Ltd.**  
28 State Street, 28th Floor  
Boston, MA 02109  
Telephone: (617) 227-7111  
Facsimile: (617) 227-4399

**CERTIFICATE OF MAILING**

*I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: June 14, 1999*

  
Peter D. McDermott

6/14/99  
Date